

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)
)
Request for Review of the Decision of the)
Universal Service Administrator by)
)
West Harvey-Dixmoor Public School District #147) File No. SLD-329605
Harvey, Illinois)
)
Schools and Libraries Universal Service Support) CC Docket No. 02-6
Mechanism)

ORDER

Adopted: November 19, 2003

Released: November 20, 2003

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. West Harvey-Dixmoor Public School District #147 (West Harvey-Dixmoor), Harvey, Illinois, seeks review of a February 10, 2003 decision by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).¹ On June 6, 2003, West Harvey-Dixmoor appealed the decision to SLD, but SLD denied the appeal because West Harvey-Dixmoor filed the appeal more than 60 days after the decision was rendered.² We affirm SLD's decision. For a review of decisions by SLD, appeals to SLD must be filed within 60 days of the issuance of the SLD decision date.³ Here, West Harvey-Dixmoor filed its appeal to SLD after the 60-day period, in contravention of our rules. We therefore deny the Request for Review.

¹ Letter from Garvin Burton, West Harvey-Dixmoor Public School District #147, to Federal Communications Commission, filed August 5, 2003 (Request for Review). *See also* Funding Commitment Decision Letter from Schools and Libraries Division, Universal Service Administrative Company, to Garvin Burton, West Harvey-Dixmoor Public School District #147, dated February 10, 2003 (Funding Commitment Decision Letter). Any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

² *See* Letter from Garvin Burton, West Harvey-Dixmoor Public School District #147, to Schools and Libraries Division, Universal Service Administrative Company, filed June 6, 2003; Letter from Schools and Libraries Division, Universal Service Administrative Company, to Garvin Burton, West Harvey-Dixmoor Public School District #147, dated June 10, 2003.

³ 47 C.F.R. § 54.720(b). *See In the Matter of Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Second Report and Order and Further Notice of Proposed Rulemaking, 18 FCC Rcd 9202, 9221 (rel. Apr. 30, 2003).

2. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, 1.3 and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3 and 54.722(a), that the Request for Review filed on August 6, 2003, by West Harvey-Dixmoor Public School District #147, Harvey, Illinois, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION



Narda M. Jones
Deputy Chief, Telecommunications Access Policy Division
Wireline Competition Bureau